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Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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Henry Peters, Pamela Peters
Plaintiff,

Case No. 07- 02210

-Against-

Consolidated Case with No. 09-3774

Roland David, et al.
Defendants,

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Requesting to Enter Default Judgment against Carol Zagoric and Lynn Lozano

Plaintiff's attorney Shmuel Klein, affirms under the penalties of perjury that the following is true, and states that I have knowledge of the facts and circumstances stated herein, except as to those matters stated upon information and belief, and those which I believe to be true, as follows:

1. On January 28, 2010, Plaintiff sent Interrogatories, Document Demand and Notice to Admit to Defendants Carol Zagoric and Lynn Lozano. (See Exhibit "A") by UPS Ground, Certified and Regular Mail to each Defendants.
2. Carol Zagoric received the UPS Ground, Certified and Regular Mail, and from a phone call that our office made, she acknowledged receipt of the Interrogatories, Document Demand and Notice to Admit, and she stated she would not respond to them. (See Exhibit "B")

3. Lynn Lozano only received the Interrogatories, Document Demand and Notice to Admit by Regular and UPS Ground, the certified mail was returned unclaimed. (See Exhibit "C")
4. The response to the Interrogatories, Document Demand and Notice to admit was due on February 28, 2010.
5. Neither to this date of April 23, 2010, neither Defendant had responded nor extend time to answer to the Interrogatories, Document Demand and Notice to Admit.
6. Defendants Carol and Lynn do not show any cooperation or interest in this matter.
7. By order of the Honorable Patty Schwartz dated April 14, 2010 the court did not excuse the default of Carol Zagoric and Lynn Lozano. (See Exhibit "D")

Wherefore, Plaintiff respectfully requests a Default Judgment be entered against Defendants Carol Zagoric and Lynn Lozano.

Dated: April 30, 2010

/s/Shmuel Klein
Shmuel Klein